

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David R. Whitlock  
Serial No: 10/573,513  
Confirmation No: 3543  
Filed: March 27, 2006  
For: METHODS OF USING AMMONIA OXIDIZING  
BACTERIA  
  
Examiner: Not Yet Assigned  
Art Unit: 1651

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**CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. § 1.8(a)**

The undersigned hereby certifies that this document is being electronically filed in accordance with § 1.6(a)(4) on the 6<sup>th</sup> day of November, 2008.

/Lisa E. Winsor/

Lisa E. Winsor

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Commissioner for Patents

**INFORMATION DISCLOSURE STATEMENT FILED PURSUANT TO THE DUTY OF  
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98**

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

**PART I: Compliance with 37 C.F.R. §1.97**

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case.

No fee or certification is required.

**PART II: Information Cited**

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

The applicant would like to bring to the Examiner's attention the following co-pending application that may contain subject matter related to this application:

| <u>Serial No.</u> | <u>Filing Date</u> | <u>Inventors</u> | <u>Title of Application</u>   |
|-------------------|--------------------|------------------|---|
| 12/060,497        | 4/1/2008           | David Whitlock   | Compositions Including Ammonia Oxidizing Bacteria and Methods of Using Same |

(U.S. Publication No. 2008/0213226 A1, published September 4, 2008, copy attached).

The Applicant hereby makes the following additional information of record in the above-identified application.

The Applicant would like to bring to the Examiner's attention the enclosed European Search Report, dated June 1, 2007, from corresponding Application No. PCT/US2004031690.

#### PART III: Remarks

Documents cited anywhere in the Information Disclosure Statement are enclosed unless otherwise indicated. It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,  
*David R. Whitlock, Applicant*

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